SIKKIM

GOVERNMENT GAZETTE

EXTRA ORDINARY
PUBLISHED BY AUTHORITY

Gangtok **Friday 13th June, 2008** **No. 218**

GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
GANGTOK- SIKKIM.

No.12/TD **Date:-2.06.08**

NOTIFICATION

In exercise of the powers conferred by sub – section (1) of the section 50 of the Sikkim Registration of Tourist Trade Act, 1998, (10 of 1998) the State Government hereby makes the following rules, namely.

Short title, extent and commencement

1. (1) These rules may be called the Sikkim Registration of Tourist Trade Rules, 2008.
   (2) It extends to the whole of Sikkim
   (3) It shall come into force on such date as the State Government may, by Notification in the Official Gazette, appoint.

Definition

2. (1) In these rules, unless the context otherwise requires:

   (a) 'Act' means the Sikkim Registration of Tourist Trade Act ,1998;

   (b) 'black –list' means a list maintained and exhibited by Tourism Department for dealers, hotel- keeper and travel agents who have been black listed under the provisions of the Act;

   (c) 'dealer' means a person carrying on in a tourist area the business of selling any notified articles, whether wholesale or retail and includes his agent or employee transacting business on his behalf;

   (d) 'hotel' means any premises, establishment, lodges, resorts, homestay, dhabas, tents, Inn, Snack bars, restaurants & Bar, café, village tourism etc. where lodging with or without board or other services like facilities for convention/conference is provided for a monetary consideration;

   (e) 'hotel – **keeper'** means any person who owns or operates hotel as proprietor and includes a person managing or operating the affairs of a hotel for and on behalf of the proprietor;

   (f) 'malpractice' includes dishonesty, cheating, touting, impersonation, obstruction in allowing free choice for shopping or stay or travel arrangement, charging price higher than that displayed on the label or remuneration higher than that fixed

under the Act, or by any other competent authority, failure to execute an order within the stipulated time or according to the terms agreed;

Explanation – I For the purpose of this clause, labeled price shall be reasonable price with stock number recorded on each label of each item as reflected in the stock books of dealer / manufacture maintained at their place of business which shall be open for inspection by the buyer (s) of the item(s) or by the prescribed authority.

Explanation –II The expression 'touting' means coercing for shopping, accommodation, transportation, luggage, sight seeing or pestering for any particular premises by a person , establishment or manufacturer with considerations of personal benefit.

(g) **'notified articles'** means any article notified by the State Government in the Official Gazette for the purpose of the Act;

(h) **'part'** means a part of the Act;

(i) **'person'** including an individual irrespective of having trade license issued by competent authority under any authority of law, a registered firm, body corporate, Association of persons, society or a company;

(j) **'prescribed authority'** means the authority referred to in clause (i) of section 2 of the Act;

(k) **'tourist'** means a person or group of persons including pilgrims visiting the State from any part of India or outside India;

(l) **'tourist area'** means any area notified by the Government in the Official Gazette to be a tourist spot for the purpose of the Act;

(m) **'travel agent'** means a person engaged in the business of conducting tours and travels, trekking , camping mountain expeditions, water sports adventure activities, tour operating or other arrangements for the tourist for a monetary consideration and includes a tourist guide, excursion agent or tour operator or cargo agent;

(n) **'offence'** means contravention and violation of any of the provision of the Act;

(o) **'offender'** means any person who has committed offence under the Act;

(p) **'fine'** means a sum of rupees to be paid by the offender as prescribed in the section 29 of the Act;

(q) **'Form'** means a form appended to these rules;

(r) **'Annexure'** means annexure appended to these rules;

(s) **'register'** means the register of hotel keepers, dealers, excursion, agents or guides, travel agents or photographers, as the case may be , relevant in the context of these rules;

(t) **'section'** means a section of the Act;

(u) **'department'** means the Department of Tourism;

(2) All other words and expressions used in these rules but not defined in the Act shall have the meaning respectively assigned to them in the Act.

CHAPTER –II

Application for Registration of a Dealer **3.**

(1) Any person intending to carry on business as dealer under the Act shall before the commencement of such business; apply for the registration to the Prescribed Authority in the Form –I.

(2) Notwithstanding anything contained in sub- section (1), any person; already carrying on the business of selling any notified article in a tourist area on the date such article is notified under clause (f) of the section 2 of the Act shall apply for registration under the Act within the period of three months from the date of the receipt of the application.

(3)Any person or persons who is directly involved or already involved or doing business or allied business in terms of provision under clauses (d) (i) or (m) of rule 2 of these rules prior to the commencement of these rules shall apply for the registration in Forms II, III and IV, respectively, appended to these rules within one month from the date of publication of these rules. Contravention of these rules or non compliance of these rules shall be punishable as prescribed under these rules.

Registration fee **4.**

An application for registration as a dealer, hotel, travel agent, proprietor of a restaurant/bar, hotel guide or out door photographer, shall be accompanied with the following fee, through demand draft /challan /B.R., as the case may be, to be deposited in favour of Tourism Department, as one time payment.

(1) Registration Fee:	**Rs.**
(a) Dealer	Rs.1000/-
(b) Hotel	
(i) Grade A	Rs.10000/-
(ii) Grade B	Rs. 8000/-
(iii) Grade C	Rs. 6000/-
(iv) Grade D	Rs. 5000/-
(v) Grade E	Rs. 2000/-
(c) Restaurant.	
(i) Grade -A	Rs.6,000/-
(ii) Grade--B	Rs.4,000/-
(iii) Grade -C	Rs.2,000/-
(iv) Grade -D	Rs.1,000/-
(d) Travel Agent and Tour Operators:-	
Grade-A	Rs.10,000/-
Grade-B	Rs. 5,000/-
Grade-C	Rs. 3,000/-
Grade-D	Rs. 1,000/-
(e) Tourist Guide and outdoor photographer	Rs.1,000/-
(f) Fees for issuance of Duplicate Certificate	Rs.2,000/-

Provided that for the purpose of clauses (a), (b), (c) & (d), the gradation of the hotel/restaurant/travel agent /Tour Operators etc. will be on the recommendation of the Committee constituted under Clause (e) of Sub-section (1) of Section 50 of the Registration of Tourist Trade Act,1998. The Committee, so constituted, shall examine the amenities/facilities and standards of accommodation available in the hotel/restaurant/travel agent as furnished in the respective Forms. The Prescribed Authority on the recommendation shall award classification / gradation to Hotels/ Restaurants/Travel Agents/Tour Operators etc.

2. Annual fees for renewal of Registration Certificate.

(a) Dealer Rs.500/-p.a.

(b) Hotel

(A)	Rs.2,000/-p.a.
(B)	Rs.1500/- p.a.
(C)	Rs.1,200/-p.a.
(D)	Rs.1,000/-p.a.
(E)	Rs. 500/-p.a.

(c) Restaurant/Cafeteria/etc.

(A)	Rs.2000/-
(B)	Rs.1500/-
(C)	Rs.1000/-
(D)	Rs. 500/-

(d) Travel Agent and Tour Operators:-

Grade-A	Rs.2 ,000/-
Grade-B	Rs. 1,500/-
Grade-C	Rs. 1,000/-
Grade-D	Rs. 500/-

(e) Tourist Guide and Outdoor photographer Rs.500/-

(f) Fees for issuance of Duplicate Certificate Rs.2,000/-

Acknowledgement of the application 5. The Prescribed Authority or his authorized person shall, on receipt of the application along with the prescribed fee, acknowledge the receipt thereof indicating the date on which the application is submitted by the applicant, date of receipt and the amount of the fee received with the application.

Certificate of Registration 6. The Prescribed Authority, shall unless registration is refused under rule 7, shall issue Certificate of Registration to the dealer in the Form VI within the period of three (3) months from the date of receipt of application.

Refusal of Registration 7. (1) The Prescribed Authority may refuse registration of a dealer under the rule if he /she is convicted of any offence under any law

providing for prevention of hoarding, smuggling or profiteering or adulteration of food or drug under chapter XIII and XIV of the Indian Penal Code,1860 and that three years have not elapsed since the expiry of any sentence imposed upon him/her.

(2) No application for registration shall be refused or Certificate of registration cancelled unless, the person applying for registration and the person whose certificate of registration is to be cancelled has been afforded a reasonable opportunity of being heard by giving notice in Form IX..

Removal of the name from the register

8. 1. The Prescribed Authority may by an order in writing remove the name of the dealer from the register and cancel his certificate of registration on any of the following grounds, namely:-

a) if he ceases to be a dealer;
b) if he is convicted of any offence punishable under Chapter XIII and XVI of the Indian Penal Code, 1860 or under any law providing for the prevention of hoarding, smuggling or profiteering or adulteration of food or drugs or corruption or
c) if he is black listed by the Prescribed Authority.

2. Any dealer whose name is removed from the register under sub-rule (1) shall forthwith cease to be a dealer.

Blacklisting of dealer

9. The Prescribed Authority may, on proof of complaint of malpractice or for any other offence committed under these rules for reasons to be recorded, blacklist a dealer, after taking into consideration the nature of malpractice.

(1) The particulars of a dealer black- listed shall be exhibited at conspicuous places in all tourist areas or spots and notified to all travel, trade and other concerned organizations after the order of black- listing him has become final.
(2) Notwithstanding action taken under sub- rule (1), the dealer shall be liable to be prosecuted under the provisions of law if deemed necessary.

Notice of removal and blacklisting of dealer

10. Before removing the name of a dealer under rule 8 or blacklisting the dealer under rule 9 on the ground or on the grounds on which it is proposed to take action and hold an enquiry in the presence of the dealer giving him a reasonable opportunity of showing cause against it.

Removal of the name of black- listed dealer

11. If the Prescribed Authority is satisfied that there are sufficient grounds for removal of name of a dealer from the black-list, he may, after recording the reasons, order his removal from such list and issue a fresh certificate of registration on payment of prescribed fee and notify the same for the information of all concerned.

CHAPTER –III

An application for registration of a Hotel. **12.**

(1) Any person intending to operate a hotel/Restaurant shall, before operating apply for registration to the Prescribed Authority in Form II. and Form IV, respectively.

(2) Every application made under sub –rule (1) shall be disposed off within a period of one month from the date of receipt of the application failing which the application shall be deemed to have been accepted for registration , unless, reasons to be recorded for delay of proceeding.

(3) Notwithstanding any thing contained in sub- rule (1) any person already operating/ running a hotel/Restaurant on the date of issue of the Notification, he shall apply for registration within three months from the date of issue of the said Notification.

Certificate of Registration **13.**

The Prescribed Authority shall, unless registration is refused under rules 14, direct that the name and particulars of the hotel / Restaurant and the hotel keeper /Restaurant owner be entered in the register maintained for the purpose and shall issue a certificate of registration to hotel keeper/Restaurant owner in the prescribed Form –VII. and VIII, as the case may be.

Refusal to register a hotel **14.**

(1) The Prescribed Authority may refuse registration of a hotel under clauses (a) and (b) of sub-section(1) of Section12 of the Act on any of the following grounds, namely:-

(a) if the hotel keeper does not hold a license or certificate required to be a hotelier by or under any law for the time being in force;

(b) if the hotel keeper is found to be in unlawful possession or under his control of any explosive substance of a nature likely to endanger life or to cause serious injury to property;

(c) if the hotel keeper is found running illegal business and /or other prohibited business under the law;

(d) if the hotel keeper has been declared an insolvent by a Court of competent jurisdiction and has not been discharged.

Explanation:-Explosive substance shall be deemed to include any material for making any explosive substance, any apparatus, machine, implement or materials used, or intended to be used or adapted for causing, aiding in causing, any explosion in or with any explosive substance, or , any part of such apparatus, machine or implement and also as defined in the Arms Act.

b) If the hotel keeper is convicted of any offence under the Arms Act, 1959 , till the elapse of five years from the date of conviction;

c) If the hotel keeper is convicted of any offence punishable under the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act , 1988 and any of the offence punishable under the Immoral Traffic (Prevention) Act 1956 and five years has not been elapsed;

d) If the hotel keeper has been convicted in any offence punishable under the Indian Panel Code 1860 and under the Food Adulteration Act and five years has not elapsed;
e) If the hotel keeper has been removed from the register and his certificate of registration is cancelled under any of the clauses and provision of this Act and six months have not elapsed since the date of removal and cancellation.
f) If, in the opinion of the Prescribed Authority, there is any sufficient grounds to be refused.

Provided that the reason is to be recorded in writing for refusing of registration.

(2) No application for registration shall be refused unless the person applying for registration has been afforded a reasonable opportunity of being heard.

Power of inspection of the premises **15.**

(1) The Prescribed Authority or his authorized person in writing shall have power of inspection of the premises without any search warrant from the Magistrate or court of law before issuance of the certificate of registration and entry in the register for his satisfaction at any convenient and reasonable time.

(2) The Prescribed Authority shall also have the power of inspection in the Premises, if the complaint is received in writing for involvement of any offence defined under these rules without search warrant.

Power of seizure and impose fine. **16.**

During the inspection of the premises, the Prescribed Authority or any of the authorized person not below the rank of Under Secretary / Assistant Director shall have the power of seizure of any articles or any materials of offence as defined under this Act as materials of evidence for subsequent trial and if the prescribed authority or authorized person has found anything in contravention and violation of the Act and any of the rules, he shall impose the fine thereof as per the provision under the Act.

Seized article to be kept in safe custody **17.**

After the seizure of the seized articles, it shall be kept in safe custody of the Prescribed Authority or may be forwarded to the police for the next course of action as the case may be:

Provided that if no application is presented, claiming the rightful ownership of the seized article under rule 16, for recovery of possession of such article within three (3) months from the date of seizure, the ownership of such article shall vest with the Government. The Prescribed Authority shall have the power for public auction of such seized articles and the revenue so collected shall be credited in the exchequer of the Government.

Supply of seizure Memo **18.**

After the seizure, a copy of the seizure memo shall be supplied to the owner from whom the article was seized.

CHAPTER - IV

Removal of the name from the register and cancellation **19.**

(1) The Prescribed Authority may by order in writing, remove the name of a hotel keeper from the register and cancel the Certificate of Registration on any of the following grounds namely:-

a) if the hotel keeper ceases to operate the hotel for a period of two year for which it is registered;
b) if the hotel keeper is black – listed under the Act;
c) if any complaint of malpractice is proved against the hotel keeper;
d) if hotel keeper is found to be in illegal possession of any explosive substance and other articles forbidden by law;
e) if the hotel keeper is involved, arrested and convicted under any law within the State of Sikkim and within the territory of India;
f) if the hotel keeper has been declared insolvent by a Court of competent jurisdiction and has not been discharged;

2. Any hotel, the name of which is removed from the register under sub rule (1), shall forthwith cease to operate;

Procedure for removal and cancellation of the registration certificate. **20.**

The Prescribed Authority may issue summons and show- cause notice to the offender by giving at least fifteen days time to file their show- cause and thereafter, the Prescribed Authority will hear the matter in person or through pleader and shall pass an order accordingly of his finding. The summons and show – cause shall be issued by way of registered post service or by way of service personally with acknowledgment of the receipt through the authorized person of the Prescribed Authority;

Provided that no order shall be passed without giving an opportunity of hearing and in the default of the appearance of the offender, the Prescribed Authority may pass ex-prate order against the offender;

Procedure of black – listing **21.**

The Prescribed Authority, may on proof on a complaint and on enquiry by himself or any of the authorized officer or person in writing ,and after hearing the parties by giving reasonable opportunity of hearing for the violation/contravention of any of the provision of the Act and rules and/ or found to be involved in malpractices and any other offences committed under any law, record the reasons in writing considering the gravity of the offence involved, the Prescribed Authority may pass an order of black listing against the offender;

Provided that no such order may be passed unless a reasonable cause is shown in writing to the satisfaction of the Prescribed Authority or reasonable opportunity of being heard is given before passing such order for black- listing. The black- listing shall be within the prescribed period not exceeding the period of ten years.

Power of fixing the black –listing period . **22.**

The Government may, by notification in Official Gazette, shall fix the period of the black- listing in the Schedule of these rules as per the offence committed by the offender considering the nature and gravity of the offence.

Power of fixing the rates. **23.** The Prescribed Authority may, by notification in the Official Gazette, fix reasonable/ maximum rates which may be charged by a hotelier for the service rendered by him to a person engaging him as such.

CHAPTER-V

An application for registration of Travel Agent / Tour Operator. **24.**

(1) Any person intending to carry on the business of a travel agent/ tour operator in a tourist area shall, before he commences to the act as such, apply for registration to the Prescribed Authority in Form III

(2) Every application made under sub-rule (1) shall be disposed off within a period of one month from the date of the application failing which the application has been deemed to have been accepted for registration, unless, reasons to be recorded for delay of proceeding.

(3) Notwithstanding anything contained in sub-rule any person already carrying on the business of travel agent/tour operator on the date of issue of the notification, shall apply for registration within three months from the date of issue of the said notification.

Certificate of Registration. **25.** The Prescribed Authority shall, unless registration is refused under Section 12 of the Act, direct that the name and particulars of the Travel Agent/Tour Operator be entered in the register maintained for the purpose and shall issue a Certificate of Registration to Travel Agent/ Tour Operator in the prescribed Form VIII A.

Refusal to register a Travel Agency/ Tour operator . **26.** Prescribed Authority may refuse registration of a Travel Agent/Tour Operator under Section 21 of the Sikkim Registration of Tourist Trade Act, 1998, on any of the following grounds, namely:-

1. if the Travel Agent/Tour Operator does not hold a license or certificate required to be a travel agent/tour operator by or under any law for the time being in force;
2. if the Travel Agent/Tour operator is found to be in unlawful possession or under his control of any explosive substance of a nature likely to endanger life or cause serious injury to property;
3. if the travel agent/tour operator is found running illegal business and/or other prohibited business under the law;
4. if the travel agent/tour operator has been declared insolvent by a Court of competent jurisdiction and has not been discharged;

Explanation:-Explosive substance shall be deemed to include any material for making any explosive substance, any apparatus, machine, implement or materials used, or intended to be used or adapted for causing, aiding in causing, any explosion in or with any explosive substance, or, any part of such apparatus, machine or implement and also as defined in the Arms Act.1959.

5. if the travel agent/tour operator is convicted of any offence under the Arm Act,1959,till the elapse of five years from the date of conviction;

6. if the Travel Agent/Tour operator is convicted of any offence punishable under the Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic substances Act,1988 and any of the offence punishable under the Immoral Traffic (Prevention) Act 1956 and five years has not been elapsed;

7. if the Travel Agent/Tour Operator has been convicted in any offence punishable under the Indian Panel Code 1860 and under the Food Adulteration Act and five years has not elapsed;

8. if the Travel Agent/Tour Operator has been removed from the register and his certificate of registration is cancelled under any of the clauses and provision of this Act and six months have not elapsed since the date of removal and cancellation;

9. if, in the opinion of the Prescribed Authority, there is any sufficient grounds to be refused.

Provided that the reason is to be recorded in writing for refusing of registration.

Power of inspection of the premises. **27.** 1. The Prescribed Authority or his authorized person in writing shall have power of inspection of the premises without any search warrant from the Magistrate or court of law before issuance of the certificate of registration and entry in the register for his satisfaction at any convenient and reasonable time.

2. The Prescribed Authority shall also have the power of inspection in the Premises, if the complaint is received in writing for involvement of any offence defined under these rules without search warrant.

Power of seizure and impose fine. **28.** During the inspection of the premises, the Prescribed Authority or any of the authorized person not below the rank of Under Secretary /Assistant Director shall have the power of seizure of any articles or any materials of offence as defined under this Act as materials of evidence for subsequent trial and if the prescribed authority or authorized person has found anything in contravention and violation of any of the rules of this Act, he shall impose the fine thereof as per the provision under the Act.

Seized article to be kept in safe custody to or be forwarded to the police. **29.** After the seizure of the seized articles, it shall be kept in safe custody of the Prescribed Authority or may be forwarded to the Police for the next course of action, as the case may be:

Provided that if no application is presented, claiming the rightful ownership of the seized article under rule 16, for recovery of possession of such article within three (3) months from the date of seizure, the ownership of such article shall vest with the Government. The Prescribed Authority shall have the power for public auction of

such seized articles and the revenue so collected shall be credited in the exchequer of the Government.

Supply of seizure memo **30.** After the seizure, a copy of the seizure memo is to be supplied from whom the article was seized.

Removal of the name from the register and cancellation **31.** (1). The Prescribed Authority may by order in writing, remove the name of a travel agent/ tour operator from the register and cancel the Certificate of Registration on any of the following grounds namely:-

a) if the travel agent/ tour operator ceases to operate for a period of two year for which it is registered;
b) if the travel agent/ tour operator is black – listed under the Act;
c) if any complaint of malpractice is proved against the travel agent/ tour operator;
d) if travel agent/ tour operator is found to be in illegal possession of any explosive substance and other articles forbidden by law;
e) if the travel agent / tour operator is involved, arrested and convicted under any law within the State of Sikkim and within the territory of India;
f) if the travel agent/ tour operator has been declared an insolvent by a Court of competent jurisdiction and has not been discharged;

Procedure for removal and cancellation of the registration certificate **32.** (2). Any tour operator/ travel agent, the name of which is removed from the register under sub rule (1), shall forthwith cease to operate;

The Prescribed Authority may issue summons and show- cause notice to the offender by giving at least fifteen days time to file their show- cause and thereafter the Prescribed authority will hear the matter in person or through pleader and shall pass an order accordingly of his finding. The summons and show – cause shall be issued by way of registered post service or by way of service personally with acknowledgment of the receipt through the authorized person of the prescribed authority;

Provided that no order shall be passed without giving an opportunity of hearing and in the default of the appearance of the offender the Prescribed Authority may pass ex-parte order against the offender.

Procedure of black – listing **33.** The Prescribed Authority may on proof of a complaint and on enquiry by himself or any of the authorized officer or person in writing and after hearing the parties by giving reasonable opportunity of hearing for the violation/contravention of any of the provision of the Act and rules and/ or found to be involved in malpractices and any other offences committed under any law, record the reasons in writing considering the gravity of the offence involved, the Prescribed Authority may pass an order of black listing against the offender;

Provided that no such order may be passed unless a reasonable cause is shown in writing to the satisfaction of the Prescribed

Authority or reasonable opportunity of being heard is given before passing such order for black- listing. The black- listing shall be within the prescribed period not exceeding the period of ten years.

Power of fixing the black –listing period **34.** The Government may by Notification in Official Gazette shall fix the period of the black- listing in the Schedule of these rules, as per the offence committed by the offender considering the nature and gravity of the offence.

Power of fixing the rates **35.** The Prescribed Authority may, by notification in the Official Gazette, fix reasonable/ maximum rates which may be charged by a travel agent / tour operator for the service rendered by him to a person engaging him as such.

CHAPTER –VI

Procedure for an appeal against the order of Prescribed Authority. **36.**

(1) Subject to the provision of sub- section (2) of section 27 of the Act an appeal shall lie from every order of the Prescribed Authority under the Act to the Appellate Authority to be appointed by the Government, by notification.

(2) The Appellate authority shall be the Secretary or equivalent of the Tourism Department;

(3) Every such appeal shall be preferred within thirty days from the date of communication of the order;

Provided that the Appellate authority may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the Appellant was prevented by sufficient cause from filing it within the prescribed time limit.

(4) The appellant shall have a right to appear through a counsel and the Prescribed Authority may be represented by such officer or person or a counsel as the Government may appoint.

(5) On the receipt of any such appeal, the Appellate Authority shall give the appellant and respondent a reasonable opportunity of being heard and after making such enquiry as it deems proper, dispose off the appeal for reason to be recorded.

(6) The proceeding before the Appellate Authority shall be completed within three months of its institution. However, time may be extended as the case may be, giving the reason in writing.

Power and procedure of Prescribed Authority and Appellate Authority **37.** The Prescribed Authority and Appellate Authority shall have the powers of a Civil Court under the Code of Civil Procedure 1908 (5 of 1908) in respect of the following matter, namely:-

(1) summoning and enforcing of attendance of the complainant made under the Act and witness required in connection therewith;

(2) compelling the production of any document ;

(3) examining witnesses on oath ; and

(4) may summon and examine suo- moto any person whose evidence appears to be material.

Explanation: For the purpose of enforcing the attendance of witnesses and other persons mentioned above, the local limits of the jurisdiction of the Prescribed Authority extends to the whole of Sikkim.

CHAPTER –VII

Power of cognizance **38.** No cognizance shall be taken unless complaint is received or filed by any person or persons against the offenders before the Prescribed Authority. The Prescribed Authority has reasons to believe about the offence or of contravention of any provision of the Act, he shall have the power to take cognizance on suo-moto.

Offence and penalties **39.** If any person is found carrying on the business of a dealer, hotel- keeper or travel agent in contravention of any provision of the Act and rules made hereunder, the registration shall summarily be cancelled and penal action can be initiated against him under the provision of the Act.

Production of NOC **40.** Any person, who applies under sub- section (1) of section 3 and under section 10 and 19 of the Act, shall produce the No Objection Certificate from the Forest, Environment and Wild Life Management,Department, the Health Department (PFA), Water Security and Public Health Engineering Department, Power Department, Sikkim Fire Services, Labour Department and Pollution Control Board.

Registration Fee **41.** The fee in respect of issuance of Registration Certificate under the Act shall be paid at the rate prescribed by Competent Authority from time to time by Notification.

Procedure for institution of proceeding **42.** A person shall be liable for the proceeding, if he defaults for payment of fine imposed by the Prescribed Authority and or by any contravention of any of the provisions under the Act and rules made hereunder. The Prescribed Authority or his authorized person may also proceed with the institution of the proceeding before the competent Court of law by filing complaint under the provision of Criminal Procedural Code, 1973 and/or may file complaint before the Police Station for registration of the criminal case against the offender.

Place to hold enquiry **43.** The Prescribed Authority or his authorized person may hold an enquiry under the Act at the place of his official Headquarter or at the place where the offence was detected /occurred and or in such other place as, he may, deem fit and proper in the interest of the enquiry.

Period for the payments of fine **44.** The offender shall pay the fine imposed by the Prescribed Authority instantly to the Prescribed Authority or his subordinate officer duly authorized by him and after recording in writing the reason may give time not less than five days from the day of offence detected or apprehended or receipt of notice for payment of fine.

Power of Court to try cases summarily **45.** No Court shall take Cognizance of any complaint unless it is filed in writing by Prescribed Authority or his authorized person before a Judicial Magistrate of First Class who shall try any offence punishable under the Act.

Power of Prescribed Authority **46.** The Prescribed Authority or his authorized person may exercise the power of police under section 42 of the Criminal procedural Code, 1973 for the purpose of ascertaining the true name and residence of the offender.

Forfeiture of property. **47.** Where any person is convicted or fined under the rules for contravention of any provision of the rules made hereunder, such articles, items, shall be forfeited to the Government.

Notice to be sent by registered post **48.** All notices or Orders issued under the foregoing rules, shall be sent by registered post to the address of the person registered under the Act as shown in the application form and all such notices or orders, as the case may be, shall be deemed to have been validly communicated when so sent.

Constitution of the Committee **49** (1) There shall be a Committee for the purpose of classification/ gradation of Hotel / Travel Agent/ Tour Operators as required under clause (e) of sub - section (1) of section 50 of The Sikkim Registration of Tourist Trade Act, 1998, consisting of the following members , namely:-

(i) Commissioner-cum-Secretary, Tourism, Chairman
(ii) One representative each from TAAS/SAATO Members
(iii) One representative each from Hotel/Restaurant. Members
(iv) Administrator, IHM Member
(v) Deputy Director (Hospitality) East, Tourism Deptt. Member.
(vi) Deputy Director (Hospitality) North, Tourism Deptt. Member
(vii) Joint Secretary (Hospitality) Tourism Deptt. Member Secretary.

(2) The Committee constituted under the provision of the rule, after duly examining the Applications and particulars furnished therein, shall recommend to the Prescribed Authority for award of Grades/ Classification to the Hotels/Restaurants /Travel Agents etc, as the case may be.

(3) The Prescribed Authority or any other person authorized by him on this behalf or any other lawful authority may within the tourist area inspect at all reasonable times the premises in which a dealer/travel agent carries on his business or any premises where a hotel is operated and require such dealer, travel agent, or hotel keeper to produce any document kept in pursuance of this rules for inspection. The Prescribed Authority may or may not inform the hotel keeper, the proprietor of restaurant, of the programme of such inspection. After the inspection, on the basis of recommendation, the Prescribed Authority will pass an order to:-

(a) Fix the reasonable maximum rates and service charges, if any, commensurate with the standard of the hotel and quality of the food, accommodation and services, which may be charged by the hotel keeper during "season" and 'off season" periods for lodging from persons staying therein: provided that off season rates shall not be fixed less than 50% of the season rate; Provided further that the rates of lodging shall be fixed with reference to each room or specified accommodation and the member of lodger to be accommodated.

(b) Fix the member of the lodgers to be accommodated in each room or in the specified accommodation of the hotel.

(c) Fix fare rates separately for daily and monthly lodgers.

Provided that the revision of rates shall normally be allowed once in a year unless there are sufficient grounds to the satisfaction of the Prescribed Authority to revise the rates before the expiry of one year.

Display of information and maintenance of registered documents.

50. 1) Every registered hotel keeper shall display, at a conspicuous place, in respect of his hotel, at the entrance of the hotel or at the reception counter of the hotel, on a notice board(with a minimum size of 3'-4') the following information, duly painted, namely:-

(a) Hotel ..... (Name)

(b) Number under the Registration of Tourism Trade Act, 1998.....

(c) Total accommodation in the hotel giving details as under:

i) No. of single bed rooms.....

ii) No. of double bed rooms.....

iii) No. of family suits (4 beds).....

(Suits for this purpose mean a unit of more than one room).

(d) Accommodation occupied.....

(i) Accommodation reserved.....

(ii) Accommodation available.....

(iii) Rate list of each room as approved by the Prescribed Authority

(iv) Other service charges as approved by the Prescribed Authority

(v) Check out time 12.00 noon.

2) Rate list of eatables to be displayed on a separate notice board.

3) (a) Every registered hotel keeper shall maintain the following books and register, approved by the Prescribed Authority, namely:-

(i) Complaint/ suggestion book to be kept at the reception counter.

(ii) Guest /tourist visitor register.

(iii) Bill book duly numbered in duplicate; and

(iv) Receipt book duly numbered in duplicate for receipt of payments/ advance.

(b) The hotel keeper shall not allow the entry of the guest/ tourist in the hotel room unless his particulars are entered in the guest registration register.

(4) Every registered travel agent/ excursion agent shall maintain the following book and registers as approved by the Prescribed Authority, namely:-

(a) Visitors register.

(b) Bill book duly numbered in duplicate; and

(c) Receipt book duly numbered in duplicate for payments / advance.

(5) Every registered travel agent/ excursion agent shall display the following information at a conspicuous place, namely:-

(i) Registration certificate;

(ii) Certificate of Travel &Tourism Management Training/ Capacity Building etc.

(6) (a) Proprietor of a Restaurant/ Bar shall display the following information at a conspicuous place, namely:-

(i) Registration Certificate;

(ii) rate list of drinks and closing time;

(iii) restaurant/ bar opening and closing time.

(iv) Certificate of Hotel Management/Capacity Building training.

(b) Proprietor of a restaurant/ bar shall keep bill books duly numbered as approved by the Prescribed Authority. He shall issue bills to all customers.

(c) The proprietor of a restaurant/ bar shall keep suggestion/ complaint book duly approved by the Prescribed Authority at the counter.

(7) Tourist –guide shall display on his person the identity card, duly attested by the Prescribed Authority, and shall furnish a copy of approved rate on demand by a customer.

(8) (1) Every registered outdoor photographer must display on his person the identity card, duly attested by the Prescribed Authority and shall maintain the book and registers, as approved by the Prescribed Authority, namely:-

(a) Tourist registers.

(b) Bill/ Cash memo book duly printed and numbered.

CHAPTER –VIII

Qualification for travel agent. **51.** The travel agent should reasonably be qualified and able to communicate clearly in Hindi, English and the local languages.. He should possess knowledge of culture/ customs of Sikkim. He should be well conversant with the tourist places of Sikkim.

Procedure for advance and refund of advance money **52.** In case the advance reservation is made for more than four days, the Hotelkeepers shall not demand more than 50% of the amount of the approved rent as advance. After the receipt of the advance money he shall confirm the booking. The entire amount of advance shall be refunded within seven days where confirmation is not done. In case of cancellation of advance reservation by the guest, the following amount can be retained by the Hotelkeeper, namely:-

(1) Cancellation within 72 hours from the date and time of arrival....10% of the advance amount.

(2) Cancellation within 48 hours from the date and time of arrival....25% of the advance amount.

(3) Cancellation within 24 hours from the date and time of arrival....50% of the advance amount.

Repeal and saving **53.** (1) The Sikkim Registration of Tourist Trade Rules, 2006 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the rules so repealed, shall be deemed to have been done or taken under the corresponding provisions of these rules.

CHAPTER IX

MISCELLANEOUS

Notification of changes. **54.** (1) Whenever a business for which a Certificate of Registration is held by a person devolves by inheritance or otherwise upon any person or undergoes a change in respect of any particular person entered in the register under the Act, such person shall, within sixty days of the date of such devolution of change, notify in writing the fact to the prescribed authority.

(2) The Prescribed Authority shall make necessary changes in the register maintained for the purpose and in **the Certificate of Registration.**

(3) The Prescribed Authority may remove from the register the name of the person in whose favour the certificate was issued and

cancel the certificate of registration if the successor is not qualified to be registered under this Act.

Return of Certificate of registration. **55.** When a Certificate of Registration is cancelled under this Act, the person holding such certificate shall, within seven days from the date of publication of the order of cancellation in the Official Gazette, return it to the Prescribed Authority.

Duplicate Certificate. **56.** (1) If a Certificate of Registration issued under the Act is lost, damaged or destroyed ,the Prescribed Authority shall on an application made on that behalf by the person holding such certificate and on payment of the prescribed fee, issue a duplicate certificate.

(2) The Prescribed Authority shall from time to time publish in such manner it deems fit, the names and addresses of the persons and of the hotels whose names have been removed from the register and who have been refused registration under the Act.

Fixation of rates for other services **57.** The prescribed Authority may by a Notification in the Official Gazette fix the reasonable maximum rates which may be charged for hiring of tents, ponies, yaks, sleeping bags, rafting materials, entry fee in tourist destination/trekking routes notified in the Official Gazettee under the provision of sub-section (k) of Section 2 of the Act.

Power and duties of Police in respect of offences and assistance to the Prescribed Authority **58.** Every Police Officer, shall give immediate, information to the Prescribed Authority of an offence coming to his knowledge which has been committed against the provisions of Rule and shall assist the Prescribed Authority in the exercise of his lawful authority.

Secretary to the Govt.of Sikkim
Department of Tourism
Govt. Of Sikkim, Gangtok

FORM -I

APPLICATION FORM FOR THE REGISTRATION OF A DEALER
[See Rule 3and 4)

No..... Date.....

Photo of the Applicant

To,

The Prescribed Authority,

Sir,

I/we request that I/we as a dealer and my/our premises known as..... situated at.....may be registered under Rule 6 of the Sikkim Registration of Tourist Trade Rule, 2008 . The particulars of my business are as mentioned below:-

1. Name of the persons concerned with full address intending to be a dealer: .....
2. Certificate of Identification/Sikkim Subject Certificate.....
3. Name of the tourist area where the dealer is to be registered .....
4. Name(s) of the proprietor(s) Partner(s) Director
5. Certificate of Identification/Sikkim Subject Certificate .....
6. Details of articles of tourist interest to be sold as notified by the State Government under the Act: .....
7. Whether the sales staff can speak English fluently, please also state if any staff member can speak foreign language other than English: .....
8. Details of persons employed with educational/technical qualification

(a) License number under the Sikkim Shop and
Commercial Establishment Act, 1969, if any .....

(b) Export Code No. .....

(c) Foreign exchange license from Reserve Bank of India, if any .....

9. Father's name of the Applicant
(in case of proprietorship concerns) .....

10. Telephone numbers .....

E.Mail Address .....

Website .....

11. Whether owner of the building/shop: .....

12. Distance in Kms from nearest parking area.

13. An affidavit to the effect that he does not posses any disqualification mentioned under clause(a),(b),of section 6 of the Act duly attested by a notary/oath Commissioner or Magistrate not below the rank of 1st Class

14. List of documents to be attached:.....

(a) NOC from Tourism, Forest, Power, Fire Services, Health

(b) Receipt of evidencing the payment of fee prescribed under rule 5.

Signature of the applicant.

ACKNOWLEDGEMENT

1. Name of the Applicant.....

2. Fee receipt No. B/R No./ Challan.....

3. Date of receipt of the application.....

Signature of Official
(Seal of Office)

FORM - II

APPLICATION FORM FOR THE REGISTRATION OF A HOTEL

[See Rule3 (4) & (12)]

No..... Date.....

To,

The Prescribed Authority,

Photo of the Applicant

Sir,

I/We request that I/we as hotel keeper and my / our hotel known as_____situated at_____ may be registered under Rule 6 of the Sikkim Registration of Tourist Trade Rule, 2008 in respect of _____.

The particulars of the hotel are as under:-

1. Name of the Hotel with area in Sq. ft.
2. Name of the Promoters with a note on their business antecedents, if any
3. Complete postal address of the promoters/telephone/Fax. E. Mail.
4. Status of the owners/promoters.
5. If Public/private limited company with copies of Memorandum and Articles of Association.
6. Name of Person intending to operate a hotel or is already operating a Hotel
7. a. Permanent Address
   b. Residential Address.
8. Whether own building or rented _____
9. Sikkim Subject/Certificate of Identification.
10. Educational qualification.
11. Certificate of Hotel Management/ Capacity Building Training. Yes No.
12. Location of hotel with postal address.
13. Distance from nearest Railway station, airport, main shopping centres (in kms)
14. Number of staff employed
15. Names (s) of Manager (s), with educational/technical qualification

16. Details of Staff employed with their full permanent address.
and qualification, supported by documents. _____

17. Hotel with boarding _____Yes No._____

18. Detail of accommodation

(i) **Guest Room**	**No**	**Facilities**
(a) Single bed rooms		(a) Television (b) intercom (c) Attached baths (d) room heater (e) central heating system (f) geyser (g) lifts (h) 24 hrs running water.
(b) Double bed rooms		Facilities: (a) (b) (c) (d) (e) (f) (g)
(c) Suite room		Facilities: (a) (b) (c) (d) (e) (f) (g)
(d) Number of family suites (4 bedded.)		Facilities: (a) (b) (c) (d) (e) (f) (g)
(e) Dormitory		Facilities: (a) (b) (c) (d) (e) (f) (g)
(f) Reception and lounge		Yes / No (if yes area in sq. ft)
(g) Dinning, Conference, Banquet Hall& Restaurant		sitting capacity.
(h) Facilities for physically challenged persons.		Yes No
(i) Provision of cloak rooms for ladies and gents separately in public areas.		Yes No
(j) Water Purifying system		Yes No.
(k) Laundry facilities		Yes No.
(m) Staff Cafeteria		Yes No.
(o) Staff staircase		Yes No.
(p) Staff Uniform		Yes No.
(q) Emergency exit		Yes No.
(r) Parking areas – vehicle capacity.		Yes No.
(s) Health club		Yes No.
(t) Swimming pool		Yes No.
(u) Library		Yes No.
(v) Boutique shops		Yes No.
(w) Garden		Yes No.

Kitchen

a) Type of Cuisine	Veg.	Non- Veg
b) Commercial Gas Connection	Yes	No
c) Cold & dry storage system.	Yes	No

19. Telephone number_____

20. Website_____

21. E. Mail address._____

22. Copy of room tariff,if any, to be enclosed.

23. Eco-friendly practices, if any, being followed.

24. Use of natural flowers/plants for decoration	Yes	No.
25. Promotion of local handicrafts/handlooms	Yes	No.
26. Garbage disposal system	Yes	No.

27. Grade applied for:-

28. List of documents to be attached

(a) NOC from Forest, Power, Fire Services, Health &PHE Labour & Excise departments.

(c) Receipt of evidencing the payment of fee prescribed under rule 5.

29. An affidavit duly attested by a Magistrate not below the rank of Magistrate 1st Class to the effect tha t he does not possess any disqualifications Mentioned under clause (a) and (b) of section12 of the Registration of Tourist Trade Act,1998.

Signature of the Applicant.

ACKNOWLEDGEMENT

1. Name of the Applicant.....

2. Fee receipt B/R &Challan No. .....

3. Date of receipt of Applicant.....

Signature of Official
(Seal of Office)

FORM III

APPLICATION FOR REGISTTRATION OF A TRAVEL TOUR OPERATOR
[See Rule 4 & 24]

No..... Date.....

To,

The Prescribed Authority,

Photo of the Applicant

Sir,

I/We request that I / we may be registered as a Travel Agent /Excursion Agent under Rule 29 of the Sikkim Registration of Tourist Trade Rule, 2008 for _____. The particulars required for the purpose are given hereinafter:-

1. Name of the applicant with address (Capital letters)_____

2. Sikkim Subject Certificate/Certificate of Identification.

3. Name of the firm._____

4. Whether the firm is a proprietary/partnership/private or public or public Ltd. Co: _____

5. Names of Director/Directors/Partner/Partners:_____

6. Location, size and standard of office,

7. Standard of furniture._____

8. Educational Qualification/ Technical qualification.
Certificate of Tourism & Travel Management /Capacity Building Training.

9. Details of persons employed with educational/technical education., supported by documents.

10. Exact location of the office with postal address.

11. Indicate the activities under taken by the firm:-
    (a) Travel arrangement: _____
    (b) Sight seeing: _____
    (c) Hotel booking: _____
    (d) Air Booking: _____
    (e) Hiking/trekking: _____
    (f) Mountaineering: _____
    (g) Any other activities: _____
    (h) Reputation experience and efficiency of Travel Agent / Excursion Agent_____

12. Details of Staff Employed with educational/technical qualification, supported by documents

13. Eco-friendly practices and any other facilities, including use of natural flower/plants, promotion of Sikkimese handicrafts and handlooms.

14. Whether affiliated to any other Association. _____

15. Telephone number (s) _____

E.Mail Address _____

Website: _____

16. Whether own building or rented: _____

17. Grade applied for.

18. An affidavit duly attested by a Magistrate/ Notary/Oath Commissioner to the effect that he does not posses any disqualification under Section 2 (I) of the Act.

Yours faithfully,

(Signature of the Applicant)

ACKNOWLEDGEMENT

1. Name of the Applicant.....

2. Fee receipt number .....

3. Date of receipt of applicant.....

Signature of Official
(Seal of Office)

FORM IV

APPLICATION FOR REGISTRATION OF A RESTAURANT
[See Rule 4 & 12]

No..... Date.....

Photo of the Applicant

To,

The Prescribed Authority,

Sir,

I/We request that I / we may be registered as a proprietor of Restaurant known as _____situated at_____ under Rule 29 of the Sikkim Registration of Tourist Trade Rule, 2008 in respect of _____.

The particulars of the restaurant/bar are as under:-

1. Name of the person(s) with full address intending to operate a Restaurant _____
2. Father/Husband's name: _____

3. Name (s) of the proprietor/proprietors with full address:_____

4. Sikkim Subject Certificate/Certificate of Identification.

5. Educational Qualification.

6. Certificate of Hotel Management/Capacity Building Training Yes No.

7. Details of floor size and sitting capacity.
   1. Details of persons employed with educational/technical qualification supported by documents.
   2. Whether uniforms for staff have been provided. Yes/No.

8. License number and date from the concerned authorities (if any):_____

9. Whether own building or rented:_____

10. wash- rooms Yes No. Indicate numbers.

11. Cuisine – Veg / Non-Veg

12. Commercial Gas connection with store facility .Yes No.

13. Garbage disposal system Yes No.

14. Facilities for the physically challenged persons. Yes No.

15. Eco-friendly practices and any other additional facilities, including use of natural flower and plants/promotion of Sikkimese Handlooms and Handicrafts. Yes No.

16. Distance from nearest shopping centres (in kms).

17. First Aid facilities. Yes No.

18. Separate toilet facility for ladies and gents . Yes No.

19. Staff position whether trained from recognized Institute of catering Yes No.

20. Whether uniform has been provided – Yes No.

Kitchen

(i)	No. of Kitchens			
(ii)	Type of cuisine	Veg	Non-Veg	Both
(iii)	Pantry		Yes	No.
(iv)	Water heating system		Yes	No.
(v)	Water purifier		Yes	No.
(vi)	Air-purifying system		Yes	No.
(vii)	Cold storage		Yes	No
(viii)	Dry storage		Yes	No.
(ix)				

21. License from Excise Department Yes No.

22. Fire extinguisher Yes No.

23. Fire Exit Yes No.

1. Grade applied for . A B C D

24. An affidavit, duly attested by a Magistrate not below the rank of Magistrate 1st class to the effect that he does not process any disqualification mentioned under clause(b) and (c) of section 12 of the Act.

25.Telephone No./E.Mail address/Website.

Yours faithfully,

Date
Place.

Signature of applicant.

ACKNOWLEDGEMENT

1. Name of the Applicant.....

2. Fee receipt number .....

3. Date of receipt of applicant.....

Signature of Official
(Seal of Office)

FORM-V

APPLICATION FOR REGISTRATION OF TOURIST GUIDE & OUTDOOR PHOTOGRAPHER
[See Rule 4]

No..... Date.....

Photo of theApplicant

Photo of the Applicant

To,

The Prescribed Authority,

Sir, I/We request that I/we would like to be registered under the Tourism Department as Tourist Guide/Outdoor Photographer , under Rule 4 of the Sikkim Registration of Tourist Trade Rules,2008.

1. Name
2. Date of Birth
3. Sikkim Subject Certificate/Certificate of Identification.
4. Educational Qualification
5. Certificate-in-photography for outdoor-photographer
6. Guide Training Certificate.
7. NOCs from TAAS/SAATO, wherever applicable
8. Residential Address
9. Permanent Address for correspondence.
10. Experience, if any,
11. Telephone/Mobile No.
12. An affidavit to the effect that he does not possess any disqualification Mentioned under clause (a),(b) of section 6 of the Act duly attested by a Notary Oath Commissioner or Magistrate not below the rank of 1st Class Magistrate.
13. License issued by competent authority, if any.
14. Gradation applied for

Application No..... Signature of the Applicant

Date.....

ACKNOWLEDGEMENT

1. Name of the Applicant

2. Fee receipt number/B.R.No/Challan

3. No.and Date of Receipt of application.

Signature of Official
(Seal of Office).

FORM VI

CERTIFICATE OF REGISTRATION OF DEALER
GOVERNMENT OF SIKKIM,
DEPARTMENT OF TOURISM
(See Rule 6)

No..... Dated:.....

This is to certify that Shri.....S/o, w/o, d/o. .....

Proprietor/Manager of M/S. .....,

has/have been registered under the Sikkim Registration of Tourist Trade Rule,2008.

Date:
Place:

(Prescribed Authority).

SEAL

FORM VII

CERTIFICATE OF REGISTRATION OF HOTEL
GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
(See Rule 13)

No..... Date.....

This is to certify that the Hotel known as .....
Located at .....to be operated/being proprietor/owner(s)/Manager of the said Hotel has/have been registered under the Sikkim Registration of Tourist Trade Rule,2008.

Date: (Prescribed Authority),
Place: SEAL

FORM VIII

CERTIFICATE OF REGISTRATION OF RESTAURANT
GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
(See Rule 13)

No..... Dated:.....

This is to certify that the Restaurant known as ..... located at..... Has been registered under the Sikkim Registration of Tourist Trade Rule, 2008

Date: (Prescribed Authority),
Place: SEAL

FORM VIII - A

CERTIFICATE OF REGISTRATION OF TRAVEL AGENT/TOUR OPERATOR
GOVERNMENT OF SIKKIM
DEPARTMENT OF TOURISM
(See Rule 25)

No..... Date.....

This is to certify that theTravel Agent/ tour Operator known as .....
Located at ..... has/have been registered under the Sikkim Registration of Tourist TRADE Rules,2008.

Date: (Prescribed Authority),
Place: SEAL

FORM IX

NOTICE FOR REFUSAL OF REGISTRATION

No..... Dated:.....

To,

Shri .....

.....

.....

Whereas you have applied for registration as.....
But as you have failed to fulfill the following conditions:-

1.
2.

Now, therefore, you are hereby served with a notice as to why registration should not be refused on grounds specified above. Your reply should reach the office of Prescribed Authority, Tourism Department, Government of Sikkim, Gangtok, within a period of 15 days from the date of issue of this notice.

(Prescribed Authority).

FORM X

NOTICE FOR CANCELLATION OF REGISTRATION

No..... Dated:.....

To,

.....

.....

Registration No.

Whereas your name is liable to be removed from the Register under section- of the Sikkim Registration of Tourist Trade Rule,2008 on the following grounds:-.

1.
2.
3.

Now, therefore, a notice is hereby given to you to show cause within a period of 15 days from the date of receipt of this notice as to why your /firm name should not be removed from the register on the grounds specified above, failing which will be presumed that you have nothing to say in this matter and the order will be passed Ex-parte.

Date: (Prescribed Authority)
Place SEAL